

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TEOVANE MARTINS,
Plaintiff,
v.
HARVARD UNIVERSITY MEDICAL
SCHOOL,
Defendant.

Civil Action No.

TO: The Honorable Judges of the
United States District Court
District of Massachusetts

NOTICE OF REMOVAL

PLEASE TAKE NOTICE, Defendant in the above-entitled action, President and Fellows of Harvard College,¹ states as follows:

1. Defendant desires to exercise its rights under the provisions of 28 U.S.C. § 1441 *et seq.* to remove this action from the Superior Court for Suffolk County, Massachusetts, in which said case is now pending under the name and style, *Teovane Martins v. Harvard University Medical School*, Civil Action No. 2384cv00614.
2. On or about June 15, 2023, Defendant was served with the attached Summons and the Complaint. *See Exhibit A.*
3. Plaintiff alleges, among other things, that Defendant violated Title VII, 42 U.S.C. § 2000E, *et seq.* Complaint ¶¶ 22-25. Plaintiff alleges she was subjected to a

¹ Plaintiff has erroneously named the Defendant as “Harvard University Medical School.” President and Fellows of Harvard College is the appropriate corporate name.

hostile work environment by her supervisor while working for the Defendant and was retaliated against afterwards. *Id.*

4. Thus, resolution of this action in whole or in part requires an application of the Title VII, a federal law prohibiting discrimination and retaliation by private employers.
5. Accordingly, this Court has original jurisdiction over the Complaint pursuant to the provisions of 28 U.S.C. § 1331, and, the Complaint may be removed to this Court by the Defendant pursuant to the provisions of 28 U.S.C. § 1441 because it is a civil action arising under the Constitutions, laws, or treaties of the United States.
6. Further, this Court has supplemental jurisdiction over the remaining claims pursuant to 28 U.S.C. § 1367.
7. Defendant is filing this notice within thirty (30) days of service of the Summons and the Complaint in this action, as required by 28 U.S.C. § 1446.
8. Defendant will file a Notice of Filing of Removal of Action to Federal Court and a copy of this Notice of Removal with the Clerk of the Superior Court for Suffolk County, pursuant to 28 U.S.C. § 1446(d), a copy of which is attached hereto as Exhibit B.
9. Defendant will serve written Notice to Counsel of Removal of Action to Federal Court, and a copy of this Notice of Removal on Counsel for Plaintiff pursuant to 28 U.S.C. § 1446(d), is attached hereto as Exhibit C.

WHEREFORE, Defendant prays that the above action now pending against it in the Superior Court for Suffolk County, Massachusetts be removed therefrom to this Court.

Respectfully Submitted,

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE

By its Attorneys,

/s/ Catherine M. Scott

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Dated: July 14, 2023

CERTIFICATE OF SERVICE

I, Catherine M. Scott, hereby certify that a copy of the within pleading was served by first class mail and email, upon Plaintiff's counsel at the address below this 14th day of July, 2023:

David O. Scott, Esq.
Law Office of David O. Scott, LLC
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Mansfield, MA 02048
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/s/ Catherine M. Scott
Catherine M. Scott